

REMARKS

This paper addresses the Office Action mailed June 16, 2009. The Applicant notes with appreciation the allowance of claims 1-65 and withdrawal of all previous rejections. Claims 65-78 stand rejected. Claim 65 has been amended. No new matter is added and the amendment is supported by the originally file specification and drawings.

Claims 65-73 stand rejected over U.S. Patent 5,915,588 (“Stoken”) under 35 U.S.C. 102(b) or 103(a). Applicant notes that the explanation of the rejection purports to identify every feature in these claims as “disclosed” in Stoken. No proposed modification of Stoken is even mentioned in the Office Action. Accordingly, the Applicant addresses the rejection solely as a Section 102 rejection.

Independent claim 65 has been amended to recite: “the state being related to the ticket inventory or the cash inventory in the lottery ticket vending machine”. This feature is neither taught nor suggested by the cited Stoken reference. In light of the amendment, claim 65 should be allowable over Stoken.

With respect to claims 66, 67, 68, and 69, and 71 and 73, the Office Action has not identified **any** particular elements in Stoken that allegedly correspond to even a single structure for **any** of these claims. Accordingly, Applicant is unable to fully respond. Applicant respectfully submits that this is effectively an improper omnibus rejection of the claims. *See* MPEP 707.07(d); *see also* 37CFR 1.104(c)(2) (“In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.”).

Moreover, with respect to claim 66, Applicant notes that Stoken teaches precut pull-tab tickets that are distributed in stacks, and thus does not teach or suggest a ticket separator.

With respect to claim 67, Applicant notes that the only alarm described in Stoken is a door open alert. Accordingly, Stoken does not teach or suggest an alarm produced responsive to the number of instant lottery tickets falling below a threshold. Claim 68, which depends from claim 67 should be allowable for at least the same reason.

With respect to 69, there is no teaching or suggestion of an alarm being transmitted via a network interface in Stoken.

With respect to claims 70-73, the only alarm described in Stoken is a door opening alarm. Accordingly, Stoken does not teach or suggest the alarms related to cash inventory that are features of claims 70-73.

For at least the above reasons, claims 65-73 should be allowable over Stoken.

Claims 74-78 stand rejected over U.S. Patent 4,982,337 (“Burr”) under 35 U.S.C. 102(b) or 103(a). Applicant notes that the explanation of the rejection purports to identify every feature in the claims as “disclosed” in Burr. No explanations of any purported modification of Burr have been presented. Accordingly, Applicant addresses only the Section 102 rejection.

Claim 74 recites a controller sending a fault message towards a remote host computer when a fault occurs. As discussed above, this feature has not been identified by the Office Action. It is respectfully submitted they are neither taught nor suggested by Stoken. Accordingly, Claim 74 should be allowable. Claims 75 to 78 depend from claim 74 and should therefore be allowable for at least the same reasons.

Claim 74 recites “the controller sending a fault message towards the host computer when a fault occurs in the lottery ticket vending machine”. Applicant respectfully submits that this feature is neither taught nor suggested in Burr. Burr col. 16, lines 10-40 are cited in the Office Action as allegedly disclosing this feature. However, Burr, and in particular, the cited portion of Burr, only describe reporting of routine accounting reports, not fault messages. Burr Figure 10, only shows local alarms reported to local displays and beepers, not alarms reported to a remote host computer. While Figure 12 shows remote reporting of accounting reports, there is not discussion of remote alarming, let alone remote alarming “when a fault occurs”.

Claims 75-78 depend from claim 74 and should be allowable for at least the same reasons. With respect to claim 76, there is not discussion in Burr of a fault related to ticket inventory in Burr’s machine. With respect to claim 77 and 78, there is no cash acceptor in Burr’s machine, let alone fault reporting related to a cash or bill acceptor.

For the above reasons claims 74-78 should be allowed.

CONCLUSION

All issues raised in the Office Action are believed to have been addressed. In light of the foregoing, it is respectfully submitted that all of the presently pending claims are in condition for allowance. Entry of the amendment, and prompt reconsideration and allowance of the present application are therefore earnestly solicited. The Commissioner is authorized to charge any fee arising in connection with the filing of this paper, including any necessary extension of time, to the deposit account of **K&L Gates LLP**, Deposit Account No. **080570**. The Examiner is cordially invited to telephone the undersigned if any issue or question arises with respect to the present application.

Respectfully submitted

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By: /Andrew L. Reibman/
Andrew L. Reibman
Reg. No. 47,893

K&L Gates LLP
599 Lexington Avenue
New York, N.Y. 10022
(212) 536-3900 (telephone)
(212) 536-3901 (facsimile)
CUSTOMER NO. 00545